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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-------------------------|-------------|----------------------|---------------------|------------------|
| 10/798,047 | 03/11/2004 | Jonathan Vance | DC-06417 | 4965 |
| 33438 | 7590 | 07/17/2006 | EXAMINER | |
| HAMILTON & TERRILE, LLP | | | SHIN, CHRISTOPHER B | |
| P.O. BOX 203518 | | | | |
| AUSTIN, TX 78720 | | | ART UNIT | PAPER NUMBER |
| | | | 2181 | |

DATE MAILED: 07/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/798,047

Applicant(s)

VANCE, JONATHAN

Examiner

Christopher B. Shin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 20040527 (1 SHEET).
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Manchester et al (US 2005/0149626 A1)/Provisional application 60/534,795.

i. The entire teachings of Manchester reference should be carefully considered by the applicant, since the examiner relies on the entire teachings of the Manchester reference.

ii. Manchester teaches all of the basic claimed limitations as follows:

Claims 1-10 Manchester et al. (20050149626)

- a system for configuring networked peripheral/printer, the system comprising
 - system of figure 1
- a portable flash memory device operable to interface with an information handling system communication port
 - system of figure 1 interfaced with (300 & 330)
- a peripheral configuration application running on an information handling system having a communication port
 - (308), see also figures 5-15, interfaced with (300 & 330)
- a portable flash memory device operable to interface with an information handling system communication port;
 - (308) Interfaced with (300, 330)

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- a peripheral/printer configuration application running on an information handling system having a communication port
 - (308) interfaced with (300, 330)
- the peripheral/priner configuration application operable to accept network configuration information for one or more peripherals and to store the network configuration information on the portable flash memory device;
 - (308), see also figures 5-15, interfaced with (300 & 330)
- a communication port associated with the peripheral and operable to interface with the portable flash memory device; and
 - (308), see also figures 5-15, interfaced with (300 & 330)
- a network configuration utility running on the peripheral, the network configuration utility operable to read the network configuration information from the portable flash memory device and apply the network configuration information to the peripheral/printer
 - (308), see also figures 5-15, interfaced with (300 & 330)
- limitations of claims 2-10
 - inherent features of Manchester reference that discloses extensive network types/configurations

iii. As for claims 1-10, since the Manchester reference teaches all of the basic claimed limitations including the inherent limitations of the dependent claims, the claimed invention would have been anticipated by the teachings of Manchester.

iv. As for method claims 11-17 & apparatus 18-20 (i.e., printer version), the teachings of the claims 1-10 are similarly applied, due to the similarity between the above claims.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher B. Shin whose telephone number is 571-272-4159. The examiner can normally be reached on 6:30-5:00 M,Tu,Th,F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fritz Fleming can be reached on 571-272-4145. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CHRISTOPHER SHIN
PRIMARY EXAMINER
OF 2181



July 7, 2006
cbs